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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
BARQADLE, YASIN M	
ART UNIT	**PAPER NUMBER**
2153	6

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/745,746	SEN ET AL.	
	Examiner	Art Unit	
	Yasin M Barqadle	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 December 2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claims 1-41 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international applicat ion by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Schuster et al U.S. Patent (6681252).

As per claim 1, Schuster et al teach a method of setting up a multi-user communication session over a global computer network (Fig. 1), comprising:

sending a session participation request message from a first user (fig. 2, 210a) to a second user (fig. 2, 220a), the session participation request message including the first user's QoS requirements for the session [User PID 210a initiates the session by sending a SIP INVITE message to user PID 220a, Fig.2 and col. 9, lines 43 to col. 10, line 57];

receiving a negotiating message from the second user by the first user in response to the session participation request message, the negotiation message including the second user's QoS requirements for the session responsive to the first user's QoS requirements [call setup process includes message exchanges and communication parameters required to establish voice-over-data channel that is appropriate to the data being transferred col. 11, lines 22-44; col. 17, lines 14-56 and col. 18, lines 8-22];

determining resource availability in access networks of the first and second users according to the second user's QoS requirements [col. 11, lines 22-44; col. 17, lines 14-56 and col. 18, lines 8-22];

reserving resources in the respective access networks of the first and second users in response to resources being available to achieve the second user's QoS requirements [col. 11, lines 22-44; col. 17, lines 14-56 and col. 18, lines 8-22]; and

sending an acknowledgement message from the first user to the second user in response to receiving the negotiating message to indicate the completion of QoS provisioning [col. 11, lines 23-47 and col. 17, lines 14-56].

As per claim 2, Schuster et al teach the method, as set forth in claim 1, wherein sending the session participation request message comprises sending a SIP INVITE message [col. 8, lines 38-49].

As per claim 3, Schuster et al teach the method, as set forth in claim 1, wherein sending the session participation request message comprises sending an SIP INVITE message, with extended SDP specifying QoS requirements and security requirements [abstract and col. 7, lines 19-36 and col. 8, lines 38-49].

As per claim 4, Schuster et al teach the method, as set forth in claim 1, wherein sending the session participation request message comprises sending an SIP INVITE message with extended SDP specifying a latency requirement [col. 9, lines 43 to col. 10, line 57 and col. 16, lines 16-42].

As per claim 5, Schuster et al teach the method, as set forth in claim 1, wherein sending a negotiating message from the second user to the first user comprises sending a SIP OK message

including a modification of the first user's QoS requirements [col. 11, lines 22-44 and col. 14, lines 40 to col. 15, line 11].

As per claim 6, Schuster et al teach the method, as set forth in claim 1, wherein sending a negotiating message from the second user to the first user comprises sending a SIP OK message including the second user's QoS requirements being the same as the first user's QoS requirements [col. 11, lines 22-44 and col. 14, lines 40 to col. 15, line 11].

As per claim 7, Schuster et al teach the method, as set forth in claim 1, wherein sending the session participation request message comprises sending an SIP INVITE message, with extended SDP specifying a session classification indicative of QoS requirements for the communication session [col. 3, lines 29-31; col. 11, lines 22-44 and col. 18, lines 8-48].

As per claims 8 and 18, Schuster et al teach a multi-user communication system over a global computer network (Fig. 2),

comprising:

a first server onto which a first user is logged [fig. 2, 150 col. 7, lines 19-30];

a first policy server in communication with the first server [col. 8, lines 23-61];

a second server onto which a second user is logged [fig. 2, 162 col. 8, lines 14-17];

a second policy server in communication with the second server [col. 8, lines 23-61];

the first user sending a session participation request message to the second user via the first and second servers, the session participation request message including the first user's QoS requirements for the session [col. 8, lines 38-49];

the second user sending a negotiating message to the second server user in response to receiving the session participation request message, the negotiation message including the second user's QoS requirements for the session responsive to the first user's QoS requirements [when request message is sent communication parameters are exchanged and voice-over-data channel appropriate to the data being transferred is established col. 11, lines 22-44; col. 17, lines 14-56 and col. 18, lines 8-22];

the second policy server determining resource availability in the second player's access network according to the second user's QoS requirements and reserving resources in the second user's access network in response to resources being available to achieve the second user's QoS requirements [col. 11, lines 22-44; col. 17, lines 14-56 and col. 18, lines 8-22];

forwarding the negotiating message from the second server to the first server [figs. 2 & 7, col. 8, lines 50 to col. 9, line 36];

the first policy server determining resource availability in the first user's access network according to the second user's

QoS requirements and reserving resources in the first user's access network in response to resources being available to a achieve the second user's QoS requirements [col. 11, lines 22-44; col. 17, lines 14-56 and col. 18, lines 8-22];

forwarding the negotiating message from the first server to the first user [figs. 2 & 7, col. 8, lines 50 to col. 9, line 36]; and

sending an acknowledgement message directly from the first user to the second user in response to receiving the negotiating message to indicate the completion of QoS provisioning [col. 11, lines 23-47 and col. 17, lines 14-56].

As per claim 9, Schuster et al teach the method, as set forth in claim 8, further comprising:

determining resource availability in the second player's access network according to the second player's QoS requirements [call setup process includes message exchanges and communication parameters required to establish voice-over-data channel that is appropriate to the data being transferred col. 11, lines 22-44; col. 17, lines 14-56 and col. 18, lines 8-22]; and

reserving resources in the second player's access network in response to resources being available to achieve the second player's QoS requirements [col. 9, lines 43 to col. 10, line 57 and col. 17, lines 14-56].

As per claim 10, Schuster et al teach the method, as set forth in claim 8, wherein sending the session participation request message comprises sending a SIP INVITE message [col. 8, lines 38-49].

As per claim 11, Schuster et al teach the method, as set forth in claim 8, wherein sending the session participation request message comprises sending an SIP INVITE message with extended SDP specifying QoS requirements and security requirements [abstract and col. 7, lines 19-36 and col. 8, lines 38-49].

As per claim 12, Schuster et al teach the method, as set forth in claim 8, wherein sending the session participation request message comprises sending an SIP INVITE message with extended SDP specifying a game format type, a latency requirement, and a game classification [col. 9, lines 43 to col. 10, line 57 and col. 16, lines 16-42].

As per claim 13, Schuster et al teach the method, as set forth in claim 8, wherein sending a negotiating message from the second player to the first player comprises sending a SIP OK message including a modification of the first player's QoS requirements [col. 11, lines 22-44 and col. 14, lines 40 to col. 15, line 11].

As per claim 14, Schuster et al teach the method, as set forth in claim 8, wherein sending a negotiating message from the second player to the first player comprises sending a SIP OK message including the second player's QoS requirements being the same as the first player's QoS requirements [col. 11, lines 22-44 and col. 14, lines 40 to col. 15, line 11].

As per claim 15, Schuster et al teach the method, as set forth in claim 8, wherein sending the session participation request message comprises sending an extended SIP INVITE message specifying a game classification indicative of QoS requirements for the e-gaming session [col. 3, lines 29-31; col. 11, lines 22-44 and col. 18, lines 8-48].

As per claim 16, Schuster et al teach the method, as set forth in claim 8, further comprising:

determining an address of a second game server which the second user is logged on [col.9, lines 1-58];

sending the session participation request message from the first player to the second player via the first and second game servers [col. 9, lines 43 to col. 10, line 57]; and

sending the negotiating message from the second player to the first player also via the first and second game servers [col. 9, lines 43 to col. 10, line 57 and col. 17, lines 14-56].

As per claim 17, Schuster et al teach the method, as set forth in claim 8, further comprising preparing billing records in response to the reserved resources and QoS requirements for the session [col. 12, lines 41-59].

As per claims 19 and 27, Schuster et al teach the invention, wherein sending the session participation request message comprises sending a SIP INVITE message [col. 8, lines 38-49].

As per claims 20, 28, 35, and 39, Schuster et al teach the invention, wherein sending the session participation request message comprises sending an SIP INVITE message with extended SDP specifying QoS requirements and security requirements [abstract and col. 7, lines 19-36 and col. 8, lines 38-49].

As per claims 21, 29, 36, and 40, Schuster et al teach the invention, wherein sending the session participation request message comprises sending an SIP INVITE message with extended SDP specifying a latency requirement [col. 9, lines 43 to col. 10, line 57 and col. 16, lines 16-42].

As per claims 22, 30, 37 and 41, Schuster et al teach the invention, as set forth in claim 18, wherein sending a negotiating message from the second user to the first user comprises sending a SIP OK message including a modification of

the first user's QoS requirements [col. 11, lines 22-44 and col. 14, lines 40 to col. 15, line 11].

As per claims 23 and 31 The system, Schuster et al teach the invention, wherein sending a negotiating message from the second user to the first user comprises sending a SIP OK message including the second user's QoS requirements being the same as the first user's QoS requirements [col. 11, lines 22-44 and col. 14, lines 40 to col. 15, line 11].

As per claims 24 and 32 The system, Schuster et al teach the invention, wherein sending the session participation request message comprises sending an SIP INVITE message with extended SDP specifying a session classification indicative of QoS requirements for the communication session [col. 3, lines 29-31; col. 11, lines 22-44 and col. 18, lines 8-48].

As per claims 25 and 33, Schuster et al teach the invention, wherein sending the acknowledgement message comprises sending an SIP ACK message [col. 8, lines 38-57].

As per claims 26, 34 and 38, these claims have similar limitations as claim 1 above. Therefore, they are rejected with the same rationale. As for the limitation:

means for receiving logging in information from a user local to the local communication system [PID 210 a send user's SIP URL

to access application server 600 col. 7, lines 19-30 and col. 16, lines 31 to col. 17, line 13].

Conclusion

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 703-305-5971. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 703-305-4792. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Yasin Barqadle
Art Unit 2153

FRANTZ B. JEAN
PRIMARY EXAMINER